

**MINUTES OF PUBLIC HEARING  
Sawyer County Zoning Committee  
May 15, 2020**

**Zoning Committee Members**

Ron Buckholtz, Chairman  
Bruce Paulsen, Vice- Chairman  
Dawn Petit  
Troy Morgan  
Jesse Boettcher

**Zoning Administration**

Jay Kozlowski, Zoning Administrator  
Kathy Marks, Deputy Zoning & Conservation Administrator

**PRELIMINARY MATTERS**

1) Call to Order and Roll Call

Kozlowski called the Public Hearing before the Sawyer County Zoning Committee to order at 8:30 AM in the Sawyer County Courthouse, 10610 Main St., Hayward, Wisconsin. Roll call finding present: Ron Buckholtz, Bruce Paulsen, Troy Morgan, Jesse Boettcher, and Dawn Petit. From the Zoning Office: Kozlowski and Marks. Legal Counsel Rebecca Roeker.

2) Pledge of Allegiance.

3) Statement of Committee and Hearing Procedure.

4) Statement of Hearing Notice

The Public Hearing Notice was published as a Class 2 Notice in accordance with Chapter 985 of the Wisconsin Statutes in the Sawyer County Record and in the Sawyer County Gazette.

5) Approval of February 21, 2020 minutes. Motion to approve by Buckholtz, second by Paulson. All in favor.

6) Election of Chairperson and Vice Chairperson. Motion to appoint Buckholtz as Chairman, second by Morgan.

No other nominations. Motion by Paulsen to close the nominations and cast unanimous ballot, Second by Morgan.

All in favor. Nomination for Vice Chairman. Buckholtz nominates Paulsen for Vice Chairman, second by Morgan.

No other nominations. Motion to close the nominations by Morgan and cast unanimous ballot, second by Boettcher. All in favor. Buckholtz welcomes Boettcher to the Committee.

6) Public Comment. Linda Zillmer, Edgewater property owner speaks of the preliminary matters not being read aloud at the meeting. Along with postings on the website. No other comments from the public.

7) Chairman Buckholtz Thanks the Committee for the votes

**REZONE APPLICATIONS**

1) A Public Hearing for RZN #20-003 in the Town of Sand Lake. Owner: Jon & Markus Armstrong. The West ½ of the NE ¼ of the SW ¼; S15, T39N, R09W; Parcel #026-939-15-3101; 20 Total Acres; Zoned Residential/Recreational One (RR-1). Purpose of the request is to rezone from Residential/Recreational One (RR-1) to Commercial one (C-1) for a dock and lift business to include boat storage, retail sales, and potential Christmas tree sales in the future. Kozlowski reads the application, Town opinion, Neighbor opinion letters and the Staff Report. Motion to open the public hearing portion by Paulsen, second by Morgan. All in favor. Markus Armstrong, owner speaks in favor of the application. Discussion held. No other audience comment. Motion to Close the Public Hearing portion by Petit, second by Paulsen. All in favor. Kozlowski reads the Discussion portion. Kozlowski reminds members that there are no Conditions allowed on a Rezone. Roeker explains the no conditions on a Rezone. No further discussion. Motion by Paulsen to approve the application, second by Morgan. Roll call finds Morgan – yes, Petit –yes, Paulsen – yes, Boettcher – yes, Buckholtz – yes. All in favor. Findings of Fact: It would not be damaging to the rights of others or property values. It would not be detrimental to ecology, wild life, wetlands or shorelands.

2) A Public Hearing for RZN #20-004 in the Town of Hayward. Owner: Buff Creek Concepts, Inc. Part of the SE ¼ of the SW ¼; S28, T41N, R08W; Parcel #010-841-28-3403; 5.03 Total Acres; Zoned Agricultural One (A-1). Purpose of request is to change zone district to Commercial One (C-1) for relocation of construction company (Buff Creek Concepts, Inc.) and potential retail. Kozlowski reads the application, staff report, Town opinion and Neighbor opinions. Motion by Paulsen to open the public hearing portion, second by Morgan. All in favor. Shad Strom, owner speaks in favor of the application. Discussion held with committee. No audience comment. Motion to close the public hearing by Boettcher, second by Paulsen. All in favor. Kozlowski reads the Discussion/Action portion of the application. Kozlowski speaks that he talked to Joan Cervanka, Comprehensive Planning Commission member Town of Hayward that the application does comply with the Town Comprehensive Plan. Discussion held. Motion by Paulsen to approve the application, second by Petit. No discussion. Roll call finds Petit – yes, Morgan – yes, Paulsen – yes, Buckholtz – yes, Boettcher yes. All in favor. Findings of Fact: It would not be damaging to the rights of others or property values. It is consistent with the Town of Hayward Comprehensive Plan.

### **CONDITIONAL USE APPLICATIONS**

3) A Public Hearing for CUP #19-012 in the Town of Winter. Owner: Northwoods ATP LP. Agent: Steigerwaldt Land Services Inc. The NE ¼ of the SW ¼; S24, T38N, R05W; Parcel #032-538-24-3101; 40 total acres; Zoned Forestry One (F-1); Known as the ATP Pit. Permit desired for the carry forward of conditional use permit #06-025 for the location of a non-metallic mineral extraction operation, including rock crusher. The CUP was originally approved at public hearing on March 17, 2006. Public Hearing was held February 15, 2019 at the Zoning Committee meeting and Discussion/Action was postponed until Town decision was made on 11/13/19. Kozlowski reads the application, Town Opinion and Staff report. No neighbor opinions as Northwoods ATP owns all property surrounding this parcel. Mike Deegan, agent for Steigerwaldt speaks for approval of the application. No Committee comment. Linda Zillmer speaks of the renewal and carry-forward for CUP applications. Also the insurance on the trails on the property. Zillmer requests that the liability be removed from the County. No other comments. Deegan speaks of the public access and that they are one of the largest land owners in Sawyer County. Linda Zillmer speaks of the benefit for the people, conservation easement and guaranteed public use. Discussion continues with the Committee. Roeker has no questions. Discussion continues. Motion to close the public hearing portion by Paulsen, second by Buckholtz. All in favor. Kozlowski reads the Discussion/Action portion of the application. Motion by Paulsen to approve the application and to ask the County Forester and if the County needs to provide the easement insurance. Amend the motion to include conditions of Maintain compliance with NR135. Maintain compliance with Plan of Operation. Maintain compliance with DNR Chapter 30. Comply with all other federal, state and local regulations. Second by Boettcher. Second by Morgan. Discussion continues. Roll call finds Morgan – yes, Buckholtz – yes, Petit – yes, Boettcher – yes, Paulsen – yes. All in favor.

4) A Public Hearing for CUP #20-007 in the Town of Sand Lake for the reclamation plan. Owner: Kenton & Ami Slabaugh. Part of the SE ¼ of the SE ¼; S08, T39N, R09W; Parcel #026-939-08-4401; Total Acres 32.722; Zoned Agricultural One (A-1). Permit desired for the location/operation of a non-metallic mineral open pit. Kozlowski reads the application, Staff report, Town opinion and Neighbor opinions. Motion to open the public hearing portion for the reclamation plan by Paulsen, second by Boettcher. All in favor. Kent Slabaugh, owner speaks in favor of the application. Discussion held with committee. Joe Martin, Town of Sand Lake resident speaks of concerns with noise from the trucks. No other comments. Motion to come out of public hearing by Paulsen, second by Morgan. All in favor. Kozlowski reads the Discussion/Action portion. Discussion held. Motion by Paulsen to approve the Reclamation Plan, second by Boettcher. Roll Call finds: Paulsen – yes, Petit – yes, Morgan – yes, Buckholtz – yes, Boettcher – yes. Kozlowski reads the Staff Report for CUP#20-007, Kent & Ami Slabaugh for the location/operation portion of the application. Motion by Paulsen to open the public hearing portion, second by Morgan. All in favor. Kent Slabaugh, owner speaks in favor of the application. Discussion held with Committee. Linda Zillmer, Edgewater property owner suggests limiting the area of mining. No other comments. Motion by Paulsen to close the public hearing portion by Paulsen, second by Buckholtz. All in favor. Kozlowski reads the Discussion/Action portion of the application. Discussion held. Motion to approve the application by Paulsen with the conditions: To obtain approval or conditional approval of reclamation plan. Abide by specific Plan of Operation including hours of operation. Maintain compliance with DNR Chapter 30. Comply with all other federal, state and local regulations.

Maintain compliance with NR135. Second by Petit. Roll Call finds: Morgan – yes, Paulsen –yes, Buckholtz – yes, Boettcher – yes, Petit – yes. All in favor.

Break 10:04am

Buckholtz calls meeting back to order at 10:10am

### **NEW BUSINESS**

1) Non-Metallic Mining Ordinance change the renewals to 5 years. Jay explains the process of Ordinance changes and why. Discussion held with Committee. Linda Zillmer, Edgewater property owner speaks of neighbor concerns and that 5 years would be too long. Discussion continues. Phil Nies, BassLake resident speaks in favor of the 5 year renewal with annual inspections. Motion to approve by Buckholtz change to send to the Towns for their approval, second by Paulsen. All in favor.

2) Bunkhouse Ordinance Amendment. (Discussion/Review Town questionnaire and potential draft action) Kozlowski explains the Ordinance and goes through the Town questionnaire with the Committee. Discussion held with Committee, Roeker, Phil Nies, Bass Lake resident, Mark Olson, Bass Lake resident, Linda Zillmer, Edgewater property owner and Kozlowski. Committee to review draft and make suggestions. Paulsen requests list of State requirements on the next month agenda.

3) Sawyer County Waste Storage Ordinance. (Review Town Comments/Discussion/Possible Action to forward to County Board) Kozlowski explains a few changes that was needed and that the Ordinance changes were sent to the Towns for approval. Committee discussion held. Linda Zillmer, Edgewater property owner suggests that Public notices should be under a different heading. Discussion with Kozlowski and Roeker. Committee discussion continues. Motion by Paulsen to approve and sent to the Land, Water Committee for their approval. Second by Morgan. Roll call finds: Paulsen – yes, Petit – yes, Morgan – yes, Boettcher – yes, Buckholtz – yes. All in favor.

4) Any other business that may come before the Committee. None.

### **ADJOURNMENT**

Buckholtz adjourns meeting at 11:10am

Note: The Minutes of the May 20, 2020 Zoning Committee meeting incorporate the video recording of this meeting and any documents referenced in the meeting, submitted by the applicant, and/or considered by the Zoning Committee in rendering its decision.

Minutes prepared by Kathy Marks, Deputy Zoning & Conservation Administrator